

MISSOURI COURT OF APPEALS WESTERN DISTRICT

JANICE TURNER,

Respondent,

v.

KANSAS CITY PUBLIC SCHOOLS,

Appellant.

DOCKET NUMBER WD78309

Date: April 5, 2016

Appeal from:
Jackson County Circuit Court
The Honorable Justine E. Del Muro, Judge

Appellate Judges:
Division Two: Mark D. Pfeiffer, Presiding Judge, Lisa White Hardwick and James E. Welsh, Judges

Attorneys:
Randall W. Brown, Stephen C. Thornberry and Joseph K. Eischens, Kansas City, MO
for respondent.
Shana J. Long, Ivan L. Nugent and Stephen R. Williams, Kansas City, MO for appellant.

MISSOURI APPELLATE COURT OPINION SUMMARY

COURT OF APPEALS -- WESTERN DISTRICT

JANICE TURNER

Respondent,

v.

KANSAS CITY PUBLIC SCHOOLS,

Appellant.

WD78309

Jackson County

Before Division Two: Mark D. Pfeiffer, Presiding Judge, Lisa White Hardwick and James E. Welsh, Judges

Kansas City Public Schools (KCPS) appeals from a judgment awarding actual and punitive damages to Janice Turner on her retaliation claim. KCPS contends Turner failed to present sufficient evidence to support her claims for actual and punitive damages.

AFFIRMED.

Division Two holds: To make a submissible case on her retaliation claim, Turner was required to establish that her discrimination charge was a contributing factor in KCPS's termination of her employment. Turner presented evidence that KCPS management discussed plans to terminate her less than a month after receiving notice of Turner's discrimination charge. KCPS failed to articulate legitimate grounds for her termination at that time. Moreover, the jury could have inferred discriminatory intent by disbelieving KCPS's proffered reasons for the ultimate termination decision.

Accordingly, the evidence was sufficient to support the judgment in favor of Turner on

the retaliation claim and the award of punitive damages. The judgment is affirmed, and Turner's motion for attorneys' fees on appeal is granted.

Opinion by: Lisa White Hardwick, Judge

April 5, 2016

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